Attorney Docket No. 13625-002001
Serial No. 10/035,597
Response dated March 17, 2004
Reply to Office Action dated October 22, 2003

REMARKS

Reconsideration and allowance of the above-referenced application are respectfully requested.

Claims 1-17 stand rejected under 35 USC 102(b) as allegedly being anticipated by Okada. The rejection entitles this a 'new ground of rejection'. However, this contention is respectfully traversed, and it is respectfully suggested that the rejection does not meet the Patent Office's burden of providing a prima facie showing of unpatentability.

Importantly, the present claims 1 and 10 define a special kind of system which is not taught or suggested by Okada. Claims 1 and 10 define a gaming system in which an output is calculated based on starting parameters. A simulation system can run an <u>invisible simulation</u> using certain starting parameters that represent a precalculated desired outcome. An adjustment means can then adjust those starting parameters such that the end condition of the subsequent running, that is one which will to be done in visible form, coincides with the desired outcome. Effectively, this forms an invisible test of the special parameters, and then an adjustment prior to the visible operation.

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The rejection states that Okada discloses that once the simulation and condition has been arrived at, that the starting parameters can be adjusted by either a discrete amount or a mapping function. The rejection alleges that this is shown in Okada's column 5 and column 6. However, this contention is respectfully traversed. The cited section, column 5, lines 15-67, simply states that the CPU determines whether gaming is to be executed (based on a coin being entered) and then uses random number sampling to make a winning determination. The winning determination is executed by comparing the winning probability in read-only memory, see column 5, line 40. Once this determination is made, the winnings are given to the player based on the win.

It can certainly be seen that this teaches nothing about the claimed system that calculates results based on starting parameters, runs an invisible simulation based on precalculated parameters, and followed further by adjusting the input parameters based on the invisible simulation. All Okada teaches is selecting randomly from a memory to determine if a big win is selected or not.

Similarly, column 6, lines 1-50, do not teach or suggest this feature. Again, this simply teaches detecting whether there is a win or not using the random number sampling. He

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teaches nothing about the special subject matter of invisibly simulating an end condition based on starting parameters and adjusting those starting parameters based on that invisible simulation, for a subsequent visible operation. Quite simply, Okada teaches absolutely nothing about using precalculated starting parameters to produce a calculated desired output in this way, first invisibly, and then adjusting those starting parameters if the desired output is not as desired.

Therefore claim 1 should be allowable for these reasons, along with the claims which depend therefrom.

Claim 10 defines similar limitations, of comparing the end condition of the simulation run in an invisible manner using the starting parameters with the desired outcome, and adjusting the parameters. Therefore, claim 10 should be allowable for these additional reasons, along with the claims which depend therefrom.

It is believed that all of the pending claims have been addressed in this paper. However, failure to address a specific rejection, issue or comment, does not signify agreement with or concession of that rejection, issue or comment. In addition, because the arguments made above are not intended to be exhaustive, there may be reasons for patentability of any or all pending claims (or other claims) that have not been expressed.

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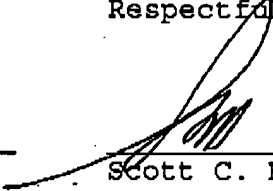Reply to Office Action dated October 22, 2003

Finally, nothing in this paper should be construed as an intent

to concede any issue with regard to any claim, except as

specifically stated in this paper, and the amendment of any

claim does not necessarily signify concession of unpatentability

of the claim prior to its amendment.

In view of the above amendments and remarks, therefore, all

of the claims should be in condition for allowance. A formal

notice to that effect is respectfully solicited.

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Respectfully submitted,

Date: 03/17/2004

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